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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/530,723	05/02/2000	JAMES C. BEDINGFIELD SR.	36968/171862	3234

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MERCHANT & GOULD BELL SOUTH CORPORATION
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EXAMINER

LE, KAREN L

ART UNIT	PAPER NUMBER
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2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/530,723

Applicant(s)

BEDINGFIELD SR. ET AL.

Examiner

Karen L. Le

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's amendment filed on September 18, 2006 has been entered. Claims 1, 9 and 18 have been amended. No claims have been cancelled. No claims have been added. Claims 1-20 are still pending in this application, with claims 1, 9 and 18 being independent.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat 6,205,214 (Culli et al.) in view of US 5,917,899 (Moss et al.) and further in view of US 6,341,162 (Kelly et al.)

Art Unit: 2614

As to claims 1, 2, 9 – 14, 18, and 20, Culli et al. teach a local routing system and method wherein a local service provider uses resold lines/services to provide local service to customers. (Col. 1, lines 36 – 44 and Col. 2, lines 23 – 30, Col. 3, lines 27 – 35, Col. 5, lines 25 – 55). Culli et al. also teaches that such a system is implemented on an advanced intelligent network (AIN) platform wherein standard call routing/completion occurs as follows: A switch, read as the claimed "switch" or "first network element" or service switching point (SSP) 34 recognizes an AIN call trigger when a customer dials a number. This trigger is provisioned to cause SSP 34 to query service control point (ISCP/SCP) 26/30 read as the claimed "service control point" or "third network element." ISCP/SCP 26/30 receives the query and provides routing information and instructions to SSP 34 based on the resold line routing information, i.e., the local service provider's routing preferences, for connecting the call. The local service provider's routing preferences are defined/stored in local database of ISCP/SCP 26/30, which identifies a location/route for completing the call. (Col. 2, lines 53 – 60, Col. 6, lines 15 – 33, 50 – 57, Col. 7, lines 31 – 45, Col. 8, lines 18 – 20, Col. 9, line 53 – Col. 10, line 29, Col. 11, line 21 – Col. 13, line 33, Col. 16, lines 28 – 32, Figs. 1, 2, and 7.)

Also note that Culli et al. teaches that both originating and terminating triggers are used. The above discussion applies to originating triggers. As to terminating triggers, a terminating SSP such as SSP 34 will suspend a call according to a billing trigger or when the call must be diverted to a telephone number other than the one called. (Col. 20, lines 17 – 63 and Col. 24, lines 35 – 41)

Art Unit: 2614

Finally, note that Culli et al. teaches that customized routing is implemented for the above-discussed resold lines. Therefore it is inherent that the switch or SSP determines whether or not the call is resold, because there would be no way to offer customized routing unless it is first known that the call is from a resold line. Moreover, Culli et al. already teaches that the attributes of routing calls on / from resold lines is different from unbundled or standard lines and that certain actions such as altering line class codes and /or block translations must be executed for resold lines. Again, unless it is first determined that a call is from a resold line, none of these actions would be performed. (Col. 7, lines 37 – 47)

What Culli et al. does not teach is the use of a hub or second switch/SSP through which other switch (es)/SSP(s) may query an SCP.

However, Moss et al. teaches a method of connecting a plurality of AIN networks wherein a first SSPA 18 routes a call to an SSP hub 22, after which SSP hub 22 reacts to a trigger and sends a query to SCP 24. SCP 24 responds and replies to SSP hub 22 with appropriate instructions and information for routing the call. (Abstract, Fig. 1, Col. 2, lines 43 – 60 of Moss et al.)

It would have been obvious for one of ordinary skill in the art at the time the invention was made to have incorporated an SSP hub in the invention of Culli et al. inasmuch as Moss et al. merely teaches a method of operating a system with a plurality of networks. Culli et al. already teaches the ability to handle local routing preferences in a single telephone network. Moss et al. would merely provide a way of seamlessly integrating a plurality of networks, a single instance of which is taught by Culli et al. The

Art Unit: 2614

operation of Culli et al. would not be altered except that a hub would be "inserted" between any single SSP, such as SSP 34, and ISCP/SCP 26/30. SSP 34 of Culli et al. would be analogous to SSPA 18 of Moss et al. ISCP/SCP26/30 of Culli et al. would be analogous to SCP 24 of Moss et al. The operation of any AIN system is always the same, i.e., that an SSP acting on a trigger queries and SCP which responds with appropriate call routing instructions. Here, as discussed above, Moss et al. merely inserts a hub or mediating SSP through which all other SSPs can access the SCP, thereby centralizing the system.

Again, as noted above, if a call from a resold line requires custom routing, then as discussed already, in an AIN environment, a trigger would be enabled on an SSP so a query could be made to the SCP to determine the custom routing.

Culli et al. nor Moss et al. also do not teach determining whether a call is from a resold line without querying an SCP.

However, Kelly et al. teaches determining whether a call is from a resold line without querying an SCP. Kelly teaches part of trigger table may be downloaded to the service switching point from service control point when required for particular function to reduce the amount of unnecessary signaling between the SSP and the SCP (Col. 4, lines 35-45 and Abstract, Lines 1-9). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Kelly's feature into Culli's system in order to determine whether a call is from a resold line without querying an SCP. It is old and well known in the AIN telephony arts that certain functionality or operations traditionally done in an SCP can be done in an SSP. Other

Art Unit: 2614

examples include local number portability situations wherein if a portable number is repeatedly called, that information is stored at the SSP so that the SCP can be bypassed during call processing.

A common motivation for the above is that constantly querying an SCP when it is not actually required wastes system resources and delays processing of calls unnecessarily.

As to claims 3, 4, 17, and 19, see Col. 2, lines 31 – 42, Col. 7, lines 37 – 46, Col. 18, lines 63 – 65 wherein Culli et al. teach line class codes and tables for class of service identification and routing.

As to claim 5, see Col. 6, lines 12 – 22, Col. 9, line 53 – Col. 10, line 13, Col. 18, lines 61 – 65, Col. 19, lines 8 – 10, wherein Culli et al. teach the SSP gathering calling and called number for use in querying the SCP.

As to claim 6, see Col. 7, lines 1 – 6 wherein Culli et al. teach utilizing off hook delay triggers.

As to claims 7, 8, 15, 16, see Table 1 (Col. 10, lines 5 – 13), Col. 5, lines 16 – 28, Col. 7, lines 37 – 46, Col. 18, line 48 – Col. 19, line 20, Col. 23, line 50 – Col. 24, line 64 wherein Culli et al. teach routing calls to other carriers, other routing schemes depending on routing preferences and inherently an identifier for a competitive carrier would have to be used if routing was to be accomplished using a competitive carrier.

Response to Arguments

5. Applicant's arguments filed 9/18/06 have been fully considered but they are not persuasive.

Applicant mainly argues that Culli does not teach the routing information comprises a single set of line class codes assigned to all resold lines, wherein the line class codes reference a trunk group to the hub. Examiner respectfully traverses the argument. Culli did teach the routing information comprise a single set of code assign to the resold lines. Culli teaches the signaling point code (SPC) is assigned for each switch, which the local service provider (LSP) purchases. The office routes all specific calls to which the local service provider wants to sent to (See Col. 9, lines 59 – Col. 10, lines 29). Culli also teaches the signal point code is in local routing table once for each type of traffic that the LSP wants routed. Culli teaches SPC is assigned to lines that LSP purchases and has different codes based on difference kind of traffic. For the above reasons, Culli is maintained for supporting the enclosed Examiner's non-final office action.

Conclusion

Art Unit: 2614

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen L. Le whose telephone number is 571-272-7487.

The examiner can normally be reached on M-F 8:30-5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing F. Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Karen Le
KLL

K.L.

December 26, 2006


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